

# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

P50928X1D1C2

First Named Inventor

Dubois, et al.

(For new nonprovisional applications under 37 CFR 1.53(b))

## "EXPRESS MAIL CERTIFICATE"

"EXPRESS MAIL" MAILING LABEL NUMBER EL981256547US DATE OF DEPOSIT: 29 January 2004

I hereby certify that this paper or fee and the papers indicated as being transmitted herewith are being deposited with the United States Postal Service

"Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date and with the Mailing Label Number indicated above and addressed to:

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Ben Ratliff

SIGNATURE

Ben Ratliff

31355 U.S. PTO  
10/767705

### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

7. <input checked="" type="checkbox"/> The Title of the Invention: Methods of Use of Fluoroquinolone Compounds Against Maxillary Sinus Pathogenic Bacteria
8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies d. <input type="checkbox"/> Use the identical computer-readable form filed in Application No. _____, filed ____ as the computer-readable form for the instant application. (37 CFR 1.821(e))
<b>ACCOMPANYING APPLICATION PARTS</b> 9. a. <input type="checkbox"/> Information Disclosure Statement (IDS) b. <input type="checkbox"/> PTO-1449 c. <input type="checkbox"/> Copies of all IDS Citations 10. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 11. <input type="checkbox"/> Prior Application is Assigned to: <u>SmithKline Beecham Corporation</u> (for continuation/divisional with Box 17a completed)
12. <input checked="" type="checkbox"/> Preliminary Amendment [Total Pages] <u>7</u>
13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
14. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)
15. <input checked="" type="checkbox"/> Transfer all references cited by Applicants or by the Examiner from the parent Application Serial No. <u>10/325,521</u> filed <u>December 19, 2002</u> . PTO-1449's listing the references are enclosed.
16. <input type="checkbox"/> Other: _____

1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. <u>19-2570</u> <input checked="" type="checkbox"/> General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3)) (Submit an original, and a duplicate for fee processing)
2. <input checked="" type="checkbox"/> The total fee is calculated as shown below: Basic Filing fee \$770.00 Total Claims 29 - 20 = 9 x \$18 \$162.00 Independent Claims 1 - 3 = 0 x \$84 \$ 0.00 <input type="checkbox"/> Multiple Dependent Claim present. \$280 <b>TOTAL FILING FEE \$932.00</b> <input checked="" type="checkbox"/> Cancel in this application original claims 1, 2, 4 - 7, 9 and 11 of the prior application before calculating the filing fee. <input checked="" type="checkbox"/> Charge <b>\$932.00</b> to the above indicated Deposit Account.
3a. <input checked="" type="checkbox"/> Specification excluding Drawings [Total Pages] <u>13</u> 3b. <input checked="" type="checkbox"/> Abstract on a separate sheet [Total Pages] <u>1</u>
4. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets] _____
5. <input checked="" type="checkbox"/> Declaration and Power of Attorney [Total Pages] <u>2</u> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17a completed) c. <input type="checkbox"/> Unsigned Declaration [Note Box 6 below] i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☒ Incorporation By Reference (useable if Box 5b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as  
being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

17. <input checked="" type="checkbox"/> Priority Information, check appropriate box and supply the requisite information
a. The accompanying application is a <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: <u>10/325,521</u> filed <u>December 19, 2002</u>
b. <input checked="" type="checkbox"/> Benefit is claimed under Title 35, United States Code, Section 119(e) of the following Provisional Applications: Application No. <u>60/141,486</u> , filed <u>29 June 1999</u> .
c. <b>** Add claim to priority via Preliminary Amendment.</b>

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